S.B.Cr.Misc. Bail Appli. No.5238/2007

(Kantu vs. State of Rajasthan)

Date of order : October 30, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Mridul Jain, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers. I have gone through the statement of injured eye-witness Lalita, who clearly implicates the present petitioner and co-accused Shantu in the commission of murder.

In this view of the matter, at this stage, it is not a fit case to release the petitioner on bail.

The bail application filed by petitioner under section 439 Cr.P.C. is, therefore, dismissed. However, it will be open for the petitioner to move a fresh bail application after statement of Lalita is recorded by the trial court and the trial court is directed to record the statement of Lalita on priority basis.

(H.R.PANWAR),J.

m.asif/-